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Attorney Docket No.: 021318-002500US
Client Ref. No.:

PTO/SB/01A (08-03)

**DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN
APPLICATION DATA SHEET (37 CFR 1.76)**

Title of Invention	METHOD AND APPARATUS FOR FRAME CLASSIFICATION AND RATE DETERMINATION IN VOICE TRANSCODERS FOR TELECOMMUNICATIONS
--------------------	---

As the below named inventor(s), I/we declare that:

This declaration is directed to:

- ☐ The attached application, or
- ☒ Application No. 10/642,422, filed on August 14, 2003.
- ☐ as amended on _____ (if applicable);

I/we believe that I/we am/are the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought;

I/we have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above;

I/we acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me/us to be material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT International filing date of the continuation-in-part application.

All statements made herein of my/our own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.

FULL NAME OF INVENTOR(S)

Inventor 1	<u>Nicola Chong-White</u>	Date:	<u>5 Mar 2004</u>
Signature:	<u></u>	Citizen of:	<u>New Zealand</u>
Inventor 2	<u>Jianwei Wang</u>	Date:	<u>10 March 2004</u>
Signature:	<u></u>	Citizen of:	<u>Australia</u>
Inventor 3	<u>Marwan A. Jabri</u>	Date:	_____
Signature:	_____	Citizen of:	<u>Australia</u>
Inventor 4	_____	Date:	_____
Signature:	_____	Citizen of:	_____

☐ Additional inventors are being named on additional form(s) attached hereto.

60088340 v1

Attorney Docket No.: 021318-002600US
Client Ref. No.:

PTO/SB/01A (08-03)

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FULL NAME OF INVENTOR(S)

Inventor 1 Nicola Chong-White Date: _____

Signature: _____ Citizen of: New Zealand

Inventor 2 Jianwei Wang Date: _____

Signature: _____ Citizen of: Australia

Inventor 3 Marwan A. Jabri Date: 9 March 04

Signature:  Citizen of: Australia

Inventor 4 _____ Date: _____

Signature: _____ Citizen of: _____

☐ Additional inventors are being named on additional form(s) attached hereto.

60088340 v1



2004 4:07PM

TTC-PA 650-326-2422

NO. 6652 P. 9

PTO/SB/61 (05-03)
Approved for use through 04/30/2003. OMB 0651-0035
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**POWER OF ATTORNEY OR
AUTHORIZATION OF AGENT**

Application Number	10/642,422
Filing Date	August 13, 2003
First Named Inventor	Nicola Chong-White
Title	METHOD AND APPARATUS FOR FRAME CLASSIFICATION AND RATE DETERMINATION ON VOICE TRANSCODERS FOR TELECOMMUNICATIONS
Art Unit	2644
Examiner Name	Unassigned
Attorney Docket Number	21318-000250US

I hereby appoint:

☒ Practitioners at Customer Number

OR

☐ Practitioner(s) named below:

Name	Registration Number

20350

20350

PATENT TRADEMARK OFFICE

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please change the correspondence address for the above-identified application to:

☒ The above-mentioned Customer Number.

OR

☐ Practitioners at Customer Number☐ Firm or
Individual Name

Address

Address

City

State

ZIP

Country

Telephone

Fax

I am the:

☐ Applicant/Inventor.☒ Assignee of record of the entire interest. See 37 CFR 3.71.

Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

SIGNATURE of Applicant or Assignee of Record

Name

Signature

Date

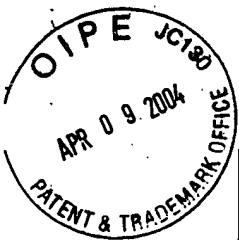
Telephone

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☐ *Total of _____ forms are submitted.

This collection of information is required by 37 CFR 1.31 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.60088348 v1



PTO/SB/96 (04-03)

Approved for use through 04/30/2003. OMB 0851-0031

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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Attorney Docket No. 21318-000610US

STATEMENT UNDER 37 CFR 3.73(b)Applicant/Patent Owner: Nicola Chong-White, Jianwei Wang, and Marwan A. JabriApplication No./Patent No.: 10/642,422Filed/Issue Date: August 13, 2003Entitled: METHOD AND APPARATUS FOR FRAME CLASSIFICATION AND RATE DETERMINATION ON VOICE TRANSCODERS FOR TELECOMMUNICATIONSDillithium Networks Pty Ltd., a corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.
The extent (by, percentage) of its ownership interest is _____ %

In the patent application/patent identified above by virtue of either:

- A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

OR

- B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

2. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

3. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

- ☐ Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.6]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee

Date

Paul A. Zuber

Typed or printed name

Signature

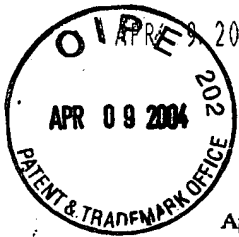
Chief Executive Officer

Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

60088357 v1



APR 9 2004 4:07PM

TTC-PA 650-326-2422

NO. 6652 P. 11

Application No. 10/642,422

Assignment

Attorney Docket No.: 021318-002500US

ASSIGNMENT OF PATENT APPLICATION

JOINT

WHEREAS, Nicola Chong-White of 3/19 Greenwich Road, Greenwich NSW, 2065 Australia; Jianwei Wang of 104 Killarney Drive, Killarney Heights NSW, 2087 Australia; Marwan A. Jabri of Level 7, 3, Smail Street, Broadway NSW, 2007 Australia hereinafter referred to as "Assignors," are the inventors of the invention described and set forth in the below-identified application for United States Letters Patent:

Title of Invention: METHOD AND APPARATUS FOR FRAME
CLASSIFICATION AND RATE DETERMINATION IN
VOICE TRANSCODERS FOR TELECOMMUNICATIONS

Date(s) of execution of Declaration:

Filing Date: August 14, 2003

Application No.: 10/642,422; and

WHEREAS, Dilithium Networks Pty Ltd., located at Level 7, 3 Smail Street, Broadway, NSW, 2007 Australia, hereinafter referred to as "ASSIGNEE," is desirous of acquiring an interest in the invention and application and in any U.S. Letters Patent and Registrations which may be granted on the same;

For good and valuable consideration, receipt of which is hereby acknowledged by Assignors, Assignors have assigned, and by these presents do assign to Assignee all right, title and interest in and to the invention and application and to all foreign counterparts (including patent, utility model and industrial designs), and in and to any Letters Patent and Registrations which may hereafter be granted on the same in the United States and all countries throughout the world, and to claim the priority from the application as provided by the Paris Convention. The right, title and interest is to be held and enjoyed by Assignee and Assignee's successors and assigns as fully and exclusively as it would have been held and enjoyed by Assignors had this Assignment not been made, for the full term of any Letters Patent and Registrations which may be granted thereon, or of any division, renewal, continuation in whole or in part, substitution, conversion, reissue, prolongation or extension thereof.


Assignors further agree that they will, without charge to Assignee, but at Assignee's expense, (a) cooperate with Assignee in the prosecution of U.S. Patent applications and foreign counterparts on the invention and any improvements, (b) execute, verify, acknowledge and deliver all such further papers, including patent applications and instruments of transfer, and (c) perform such other acts as Assignee lawfully may request to obtain or maintain Letters Patent and Registrations for the invention and improvements in any and all countries, and to vest title thereto in Assignee, or Assignee's successors and assigns.

Assignors hereby authorize and request Townsend and Townsend and Crew LLP, Two Embarcadero Center, Eighth Floor, San Francisco, CA 94111-3834, to insert herein above the application number and filing date of said application when known.


Application No. 10/642,422
Assignment
Attorney Docket No.: 021318-002500US

IN TESTIMONY WHEREOF, Assignors have signed their names on the dates indicated.

Dated: 5 Mar 2004


Nicola Chong-White

Dated: 10 March 2004


Jianwei Wang

Dated: _____

Marwan A. Jabri

60088334 v1

Application No. 10/642,422
Assignment
Attorney Docket No.: 021318-002500US

IN TESTIMONY WHEREOF, Assignors have signed their names on the dates indicated.


Dated: _____

Nicola Chong-White

Dated: _____

Jianwei Wang

Dated: 9 March 04



Marwan A. Jabri

60088334 v1